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# State of Utah

## Utah Substance Abuse and Anti-Violence Coordinating Council

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## Meeting Notes USAAV Council

**Wednesday, May 12, 2004**  
**Noon to 2:00 pm**

**Southeast Meeting Room, 1<sup>st</sup> Floor**  
**East Capitol Complex**

*Present: Susan Burke, Lt. Col. Scott Duncan, Brandon Hatch, Brad Johnson, Gary Jorgensen, Brent Kelsey, Judge Michael Kwan, Verne Larsen, Rep. Ty McCartney, Harold Morrill, Diane Ngatuvai, Stewart Ralphs, Robert Rolfs, Terry Russo, Mayor JoAnn Seghini, Anna Kay Waddoups*

### **I. Welcome & Introductions**

**Gary Jorgensen**

- Welcome new members

Brandon Hatch & Terry Russo

Brandon is with Davis Behavioral Health and has worked in the substance abuse field for the last 12 years. He is representing prevention issues on the Council. Terry Russo is retired from the Department of Human Services and currently works for Utah State University. She represents on the Council a resident affected by domestic violence.

- Approval of March 10 minutes

**Action Taken:** *Harold Morrill moved to approve the minutes, seconded by Anna Kay Waddoups. Minutes were approved.*

Gary reported that the USAAV Executive Committee met just prior to this meeting to discuss reorganization of the Council's committees. The Executive Committee recommended that the Anti-Violence and Criminal Justice Committees be combined. They also suggested that the two workgroups formed to address Drug Endangered Unborn Children and the Drug Offender Reform Act (DORA) report to the Substance Abuse Services Committee.

**Action Taken:** *The Council voted to adopt the recommendations.*

### **II. Director's Report**

**Susan Burke**

- State gang and crime funds – preliminary awards

Susan distributed a list of programs recommended for funding by the Anti-Violence Committee. She expressed concern that the committee did not recommend for funding any programs that specifically targeted a minority population. The committee stated that these proposals were poorly written. There are other funded programs, however, that do serve minority populations. She asked if there are ways to improve the grant process, specifically to improve the quality of applications from minority applicants.

Mayor Seghini recommended that Susan meet individually with these applicants to explain the

weaknesses of their proposal. She also suggested that our office work more closely to provide assistance to applicants next year. Rather than hold a technical assistance meeting, perhaps individual outreach might be better.

**Action taken:** Susan will follow up on these recommendations.

- Legislative study items

Susan reported that the Law Enforcement Interim Committee has listed forfeiture as a study item, but they still need to prioritize and finalize their study list. Transportation will be working on DUI recodification.

### III. DUI Committee Report

#### Anna Kay Waddoups

- Ignition Interlock Device survey distribution

A copy of the finalized IID survey was distributed. It will be sent out to all District Court and Justice Court judges. Results will be reported in a couple of months.

- Potential savings related to DUI Offender Monitoring

Following up on last month's SCRAM presentation, the Department of Corrections prepared an estimate of the cost avoidance if third degree felony DUI offenders were diverted from prison and placed on SCRAM. Cliff Butters conducted the analysis which showed the following admission numbers for third degree DUI's.

FY01: 54

FY02: 86

FY03: 100

FY04: estimated to be 130

If 5% were diverted, then there would be seven offenders diverted. The cost of incarceration runs at about \$65 per day (\$24,000 a year). The resulting costs avoided would be \$170,000. It is important to note that Corrections would not realize a savings, as those beds would be filled by other offenders. Those that are diverted would also require case management services.

**Action Taken:** The DUI Committee will continue to study this issue and viability of diverting DUI Offenders if it does not put the public at risk.

- Status of other DUI-related studies

Anna Kay reported that CCJJ is beginning work on a DUI Plea in Abeyance study as required by SB 20. The study will determine if offering a plea in abeyance creates the incentive to get people into treatment and complete it. The study will not evaluate the treatment services provided. The study will compare the Taylorsville Justice Court plea in abeyance model with the Salt Lake City Justice Court model that does not offer plea in abeyance.

### IV. Stinger Prevention Day

#### Verne Larsen

- Report on the program

The Stinger Prevention Day was an overwhelming success. Over 8,000 students attended the baseball game. In-between innings, schools performed substance abuse prevention skits. The permission slips sent home to parents also included a prevention message and how parents can discuss the issue with their student. In the days following the game, Stinger baseball players visited schools to share a prevention message. Verne thanked the Council for their support.

### V. Drug Lab Clean Up Guidelines

#### Brad Johnson & Robert Rolfs

- Status of HB 123 implementation

Brad reported that the Department of Health and Department of Environmental Quality met on April 27 to begin work on the drug lab clean up guidelines. As required by HB 123, the Department of Health will need to establish guidelines for what is contaminated and decontaminated properties. The department also needs to make the list of contaminated properties "reasonably available" to the public. Brad stated that availability will likely vary at each local health department. They have discussed posting the list on a website, but no final decision has been made.

Robert stated that the Department of Environmental Quality is responsible for developing the certification standards for decontamination specialists. They are estimating that 30-50 contractors might apply for this certification.

It was clarified that once a property is reported by law enforcement as potentially contaminated, the Department of Health would make the final determination. If deemed contaminated, the property owner would be notified about methods for decontamination. If the property owner fails to act, the law establishes a method for notifying the city or county.

**Action Taken:** Brad and Robert will return at a future USAAV meeting to report on progress made.

## VI. Workgroup Reports

### Susan Burke

- Drug Endangered Unborn Children – potential legislation

Susan said that a workgroup was formed to address the problem of substance abusing pregnant women. Currently, law enforcement is unable to force these women into treatment and these women cannot be charged with child endangerment because the law is only applicable to children who are born. The workgroup is discussing the scope of the problem and strategies that would encourage pregnant women to seek treatment. These strategies may include legislation.

**Action Taken:** This workgroup will report their recommendations to the Substance Abuse Services Committee, who will then bring them to the Council for any action.

- D.O.R.A. – strategy for 2005 session

A DORA workgroup with representatives from Corrections, Substance Abuse and CCJJ has been formed to determine the best strategies for pursuing the implementation and funding of DORA. The group discussed the need to go through the budget priority process with each agency. They also discussed whether a bill should be drafted or if the process should be budgetary only. Lou Callister's Advocacy Group is currently meeting with key legislators seeking their support for DORA.

Council members made the following points:

- If all DORA funding is given to the Department of Corrections, then Justice Courts will not be able to access those funds because of the different populations served.
- We may want to take a five-year implementation approach to DORA, rather than 3 years.
- We should examine how to make DORA revenue neutral.
- We should certainly go through the agency budget process, but next year may be a better year to get those commitments in place.

**Action Taken:** Susan will forward these comments to the workgroup. Continued discussion will take place and be communicated back to the Substance Abuse Services Committee and eventually the Council.

- Asset forfeiture guidelines – steps for developing

CCJJ has formed a group to begin developing forfeiture guidelines and has invited USAAV to participate in the process. The USAAV Executive Committee recommends that Brent Kelsey and Sherm Watkins be appointed to serve.

**Action Taken:** The Council voted to have Brent and Sherm represent USAAV.

## VII. Other Business

- Ceremonial Signing of SB 20 @ 2:15 pm
- Members were invited to attend the bill signing.

## **Next Agenda and Meeting Schedule**

The USAAV Council meets bi-monthly, the second Wednesday of the month from noon to 1:30 pm.

July 14, September 8, November 10

Preliminary July Agenda Items:

- Domestic violence and substance abuse linkage
- DORA strategy
- Drug Endangered Unborn Children preliminary recommendations